

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

HOUSTON SPECIALTY INSURANCE
COMPANY, IMPERIUM INSURANCE
COMPANY, AND OKLAHOMA SPECIALTY
INSURANCE COMPANY,

Plaintiffs,

v.

FIRST INDEMNITY INSURANCE AGENCY,
INC.

Defendant.

Non-Jury Trial

Civil Action No. 4:20-CV-3756

Joint Status Report Pursuant To Court's December 20, 2021 Order

The parties submit this joint status report pursuant to the Court's December 20, 2021 order.

1. No additional discovery has been exchanged since the last status report. Defendant has reviewed Plaintiff's supplemental production made on December 16, 2021. In late January, counsel for Defendant informed counsel for Plaintiffs that Defendant would provide a written FRE 408 communication analyzing Plaintiffs' claims and making a proposal for the future progress of this case. The Parties previously exchanged settlement communications in November 2021. Plaintiffs are awaiting Defendant's written analysis and proposal.

2. As indicated in the previous status reports, Plaintiffs have also met and conferred with Defendant concerning the format of the reinsurance agreements that the Court directed Plaintiffs to produce. On November 18, 2021, Plaintiffs produced an unredacted reinsurance agreement on an Attorneys'-Eyes-Only basis to confirm that Defendant was comfortable with the proposed format of the production of reinsurance agreements. Plaintiffs are awaiting Defendant's

response following their review of that exemplar agreement. Once the parties reach agreement on the format of production of further agreements, Plaintiffs intend to promptly produce a “random, reasonable selection of reinsurance agreements.” Dkt. 45.

3. Following the close of the latest claims-reporting period, Plaintiffs intend to supplement their interrogatory responses to identify policies issued by First Indemnity where new claims have been submitted since Plaintiffs last supplemented their interrogatory responses in September 2021. After these interrogatories have been supplemented and First Indemnity has produced the corresponding underwriting files, Plaintiffs will promptly notify First Indemnity if any of these new claims will be at issue in this litigation.

Dated: February 18, 2022

Respectfully submitted,

By: /s/ Shawn Raymond

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CERTIFICATE OF SERVICE

I certify that on February 18, 2022, a true and correct copy of this document has been served via email on all counsel of record.

/s/ Shawn Raymond

Shawn Raymond